

## **REMARKS**

### **The Amendments**

The claims are amended to clarify the nature of the base particles and to otherwise make corrections and clarifications to the claims.

To the extent that the amendments avoid the prior art or for other reasons related to patentability, competitors are warned that the amendments are not intended to and do not limit the scope of equivalents which may be asserted on subject matter outside the literal scope of any patented claims but not anticipated or rendered obvious by the prior art or otherwise unpatentable to applicants. Applicants reserve the right to file one or more continuing and/or divisional applications directed to any subject matter disclosed in the application which has been canceled by any of the above amendments.

### **The Rejections under 35 U.S.C. §102 and §103**

The rejections of claims 1-13 under 35 U.S.C. §102, as being anticipated, or under 35 U.S.C. §103, as being obvious, from Winter (U.S. Patent No. 5,563,242) are respectfully traversed.

Winter discloses benzotriazole UV absorber compounds of the formula (I) and discloses the use of such compounds to stabilize an organic material subject to thermal, oxidative or actinic induced degradation. See, e.g., col. 3, lines 18-30, col. 4, lines 41-45, col. 5, lines 25-30, and cols. 6-8.

Winter does not disclose the use of the benzotriazole compounds for UV stabilization of inorganic particles, e.g., inorganic pigment particles. Thus, Winter fails to anticipate the instant claims.

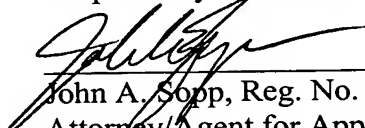
Further, Winter fails to suggest use of its benzotriazole compounds for UV stabilization of inorganic particles. Winter is specific to the use of the UV stabilizers for stabilizing organic materials, particularly polymers. There is no suggestion from the reference to use the benzotriazoles for UV stabilization of inorganic particles, particularly inorganic pigment particles. Thus, Winter fails to render the claimed invention obvious under 35 U.S.C. §103.

For the above reasons, it is urged that the rejections under 35 U.S.C. §102 and 35 U.S.C. §103 based on Winter should be withdrawn.

It is submitted that the claims are in condition for allowance. However, the Examiner is kindly invited to contact the undersigned to discuss any unresolved matters.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

  
\_\_\_\_\_  
John A. Sopp, Reg. No. 33,103  
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO  
& BRANIGAN, P.C.  
Arlington Courthouse Plaza 1, Suite 1400  
2200 Clarendon Boulevard  
Arlington, Virginia 22201  
Telephone: (703) 243-6333  
Facsimile: (703) 243-6410

Attorney Docket No.: MERCK-2969

Date: September 29, 2006

JAS:blb

K:\Merck\2000 - 2999\2969\REPLY 9-29-06.doc